

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION

KWANE RASHID,

Plaintiff,

VS.

Lieutenant JADA BURKS, *et al.*,

Defendants.

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1 : 12-CV-140 (WLS)

ORDER

The Plaintiff filed this action in September 2012, challenging conditions of his confinement at Calhoun State Prison in June 2012. (Doc. 1). Defendant CO I Roberts was ordered served by Order dated January 30, 2013. (Doc. 9). Based on Defendant Roberts' failure to respond to a waiver of service request, personal service was attempted on Defendant Roberts on June 18, 2013. (Doc. 23). The Process Receipt and Return form for Defendant Roberts was filed with the Court, showing that the U.S. Marshals Service was unable to locate Defendant Roberts, and bearing the notation "[n]ot enough information on above subject and no officer with that name employed with Prison." *Id.*

At the instruction of the Court, the U.S. Marshals Service re-contacted Calhoun State Prison, with instructions to seek additional information regarding whether anyone by the name "Jane Roberts", as identified by Plaintiff in the body of his Complaint, was or had been employed at the prison. (Docs. 24, 25). The U.S. Marshals Service filed an additional Process Receipt and Return form for Defendant Jane Roberts on July 8, 2013, bearing the notation "[n]o Jane Roberts works at facility. HRD (Human Resources Department) does not know that officer."

(Doc. 26).

After multiple service attempts by the U.S. Marshals Service using all of the information available to the Court, the Court finds that it cannot effect service on the Defendant identified as “CO I Roberts” without additional information regarding this individual and/or her and current whereabouts. The Plaintiff is **ORDERED AND DIRECTED** to provide a current address and/or additional identifying information for Defendant Roberts **within 21 days of the date of this Order**. Failure to provide enough information regarding Defendant Roberts to allow the Court to effect personal service on this Defendant may result in the dismissal of this Defendant from this action.

SO ORDERED, this 29th day of August, 2013.

s/ **THOMAS Q. LANGSTAFF**

UNITED STATES MAGISTRATE JUDGE